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Item 2 (a) of the provisional agenda

MID-TERM REVIEW

Review of the efficiency and functioning of the intergovernmental machinery

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Part I

CHAIRPERSON'S SUMMARY

1. Within the context of the UNCTAD Mid-term Review, the Trade and Development Board has reviewed the functioning of its intergovernmental machinery and has adopted the guidelines set out below in order to improve the machinery's efficiency. The guidelines should be implemented immediately and in a flexible manner to ensure maximum effectiveness.

2. The review process was not aimed at a renegotiation of the Bangkok Plan of Action. It sought to improve the intergovernmental machinery in order to enhance the efficiency and effectiveness of the implementation of the Plan of Action, the UNCTAD work programme and the follow-up of the results.

3. The purpose of the intergovernmental machinery is to favour consensus-building on issues related to the fields of competence of UNCTAD as the focal point within the United Nations for the integrated treatment of trade and development and the interrelated issues in the areas of finance, technology, investment and sustainable development.

4. The above objectives will be achieved by:

(a) Strengthening the substantive complementarities between expert meetings, Commissions and the Trade and Development Board;

(b) Improving synergies between the secretariat's structure and the Commissions;

(c) Improving the integration of intergovernmental and expert debate on the one hand and analysis and technical cooperation on the other;

(d) Improving reporting on the follow-up actions by capitals on the outcomes of expert meetings and Commission recommendations.

Overview

Achievements

5. Two full cycles of meetings have been completed since UNCTAD X, making a total of six cycles since UNCTAD IX, when the current structure of the intergovernmental machinery was established.

6. Expert meetings, and indeed the intergovernmental work of UNCTAD as a whole, has benefited from the participation of experts from capitals from developing countries, developed countries and countries with economies in transition.

7. Provisions for the financing of experts have directly facilitated the participation of experts from developing countries.

8. The expertise made available in expert meetings through experts speaking in their personal capacity has contributed to knowledge-based and frank discussions, as well as to consensus-building and sharing of experience.

9. Expert meetings have provided valuable inputs on topical issues for policy consideration by the Commissions, which in turn have made recommendations to Governments, the international community, and the UNCTAD secretariat.

10. Commissions have provided a very useful forum for an open exchange of views between delegations and the secretariat on the latter's implementation of Commissions' recommendations.

Problems

11. Although some expert meetings were well attended and produced valuable outputs, the overall impact of expert meetings has still not fully met the expectations of the Midrand reform. Possible factors contributing to this situation included the fact that experts were not always acquainted with UNCTAD's previous work and that too much time was sometimes devoted to the negotiation of agreed conclusions.

12. There has been a decline in the participation of experts from all groups of countries. In the case of developing countries, an important factor in the decline in participation was the steep decline in resources available for financing experts.

13. The linkages between expert meetings and the Commissions have not been working well. In particular, having exactly the same topics on the agendas of the expert meetings and the Commissions has tended to encourage repetition in the discussions in the Commissions.

14. In the Commissions, a disproportionate amount of time has been spent on negotiating outcomes rather than on in-depth policy dialogue.

15. Commission sessions have not always attracted participation from capitals for their full duration. Some delegations felt that this problem was due to the non-binding nature of the outcome.

16. The follow-up, implementation and feedback on the recommendations and decisions of the Board, the Working Party on the Medium-term Plan and the Programme Budget and the Commissions have not been fully satisfactory. This has been particularly the case of decisions taken with respect to the use of the regular budget to finance the participation of experts in expert meetings, as well as courses related to the implementation of paragraph 166 of the Bangkok Plan of Action.

17. Several substantive decisions that could have been taken within the guidelines will have to be addressed and resolved at a later date. The annex to the guidelines in particular refers to a decision to be taken by the Trade and Development Board concerning the financing of experts from the regular budget by the end of 2002. In order to comply with the mandate, such a decision should be taken not later than 30 November 2002.

Part II

GUIDELINES FOR THE FUNCTIONING OF THE UNCTAD INTERGOVERNMENTAL MACHINERY

Trade and Development Board

1. The Board's agenda should be more varied and flexible. During its next regular session, the Board will consider the issue of having two regular sessions, one in the spring, the other in the autumn.

2. The practice of having a high-level segment during a regular session of the Board should be continued. In establishing the provisional agenda, the Board will identify an item to be considered at a high level.

3. When appropriate, executive sessions will be used for substantive discussions and analysis of new challenges faced by developing countries, including discussions on recent developments and on issues of urgent or prominent interest, which could involve high-level panels. Such discussions should be reported on rapidly on the Internet and through press releases in all official languages.

4. An item on the follow-up to decisions and implementation of recommendations of the Board should be included on the agenda.

5. The Board will devote more attention to addressing LDC concerns. Following the publication of the *Least Developed Countries Report*, an executive session of the Board on LDCs not exceeding three days will meet to discuss the report and other thematic and sectoral issues of interest to LDCs. Its Sessional Committee on LDCs, adjusted accordingly, will continue to focus on coordinating, reviewing and monitoring UNCTAD-wide activities related to the implementation of the Programme of Action for LDCs for the present decade and discussion on substantive and analytical issues of interest to LDCs. The outcomes of these deliberations will be channelled to the Economic and Social Council and to the General Assembly as inputs into their respective reviews of the implementation of the Programme of Action.

6. Members reaffirm the need to continue the monthly consultations of the President of the Trade and Development Board and encourage the secretariat to include an information item on its activities.

Commissions

7. A Commission session should be devoted primarily to policy discussion on one or two main thematic issues. While considering the outcome of expert meetings, the Commissions should complement the issues dealt with by expert meetings, and avoid duplicating their debates as much as possible. Whenever possible the Commissions should conclude their discussions within three days and in any case should not exceed five days. When appropriate, sufficient time should nevertheless be devoted to achieving a unified outcome. The Commissions should conduct a policy discussion on the basis of secretariat research, reports of expert meetings and other relevant inputs, including from panellists and from other intergovernmental organizations and civil society. It should also place the outcome of the discussions within the appropriate policy context and framework.

8. For each substantive item on a Commission's agenda, the secretariat should prepare a background paper as an input to the discussion, and the Commission should give a clear indication to the secretariat as to the type of background paper it would require.

9. When deciding on the nature of the outcome, a main objective should be to maximize the time devoted to substantive dialogue among government representatives so as to build consensus on issues within UNCTAD's competence and reduce to the necessary minimum the time devoted to drafting exercises. The Bureau and the regional coordinators will indicate the nature of the outcome they seek from the Commissions. Whenever possible the outcome should be a Chairman's summary reflecting substantive dialogue and separate concise recommendations to the UNCTAD secretariat. Further options for the outcome may include: principles, guidelines, best practices, agreed conclusions, etc.

10. Commissions' agendas will continue to include an item on follow-up and implementation of past recommendations. The secretariat will report on its implementation of recommendations addressed to it, and member States will be invited to report on their own implementation in statements to the Commission.

11. The outcomes of the Commissions' sessions will also be the subject of a broad dissemination effort, including on the Internet, in all official languages.

Expert meetings

12. When selecting or approving topics for expert meetings, the Commission concerned should consider, on a case-by-case basis, continuing discussions on a particular theme over a series of expert meetings, in order to build a network of experts and allow for more in-depth discussions.

13. Topics for expert meetings should be of immediate relevance. To this end, each Commission should establish clear terms of reference for its expert meetings. The outcome of expert meetings should reflect the substantive dialogue among experts from all parts of the world and general points of agreement with a view to building consensus on the issue.

14. Experts are nominated by Governments and participate in the expert meetings in their personal capacities.

15. The participation of experts from developing countries in UNCTAD expert meetings will be enhanced through the provision of predictable financial resources. Arrangements for the financing of experts from developing countries and countries with economies in transition are annexed to this document.

16. The Secretary-General of UNCTAD is encouraged to invite to expert meetings experts from regional and international organizations, civil society, academia, and interested private institutions and enterprises.

Annex

Financing the participation of experts from developing countries and countries with economies in transition in UNCTAD intergovernmental expert meetings

1. Members agreed to find, by the end of 2002, a long-term solution for predictable financing of the participation of experts in intergovernmental expert meetings, taking into consideration the enhancement of the participation of experts from developing countries and economies in transition based on the principle of equitable geographical representation, beneficiary needs, in particular LDCs, and the expertise of the experts concerned. Accordingly, members agreed to continue the necessary consultations, in the Working Party. In the event that a solution is not reached, a special session of the Board will be held to resolve the matter.

2. Members welcomed the commitments announced by a number of countries for securing the necessary extrabudgetary contributions to allow for the financing of experts in 2002. For this, members agreed that approximately $280,000 (at 2002 prices) per year will be required to allow 10 experts to attend the expert meetings in 2002 and 2003.

3. While welcoming this progress, Member States also recognized the interrelationship between the short-term solutions (2002-2003) and reaching long-term solution(s) that would ensure the availability of the necessary resources on a regular basis for financing the participation of experts in UNCTAD's expert meetings.